

REMARKS

The pending claims are now claims 61 and 62.

The foregoing amendments to the claims are being made to put the present application in better form for the purpose of requesting an interference with U.S. Patent 5,766,159. Applicants' formal request pursuant to 37 CFR § 1.607(a) for the declaration of an interference between the present application and U.S. Patent 5,766,159 is filed herewith.

Claims 61 and 62 were added in a Preliminary Amendment filed on June 15, 1999, which was within one year after the June 16, 1998 issue date of U.S. Patent 5,766,159. Claim 61 is being amended to more precisely follow the language of applicants' specification.

First, the temperature range of claim 61 is being narrowed to read "from 15°C. to about 60° C.". This range is supported at p. 4 of applicants' specification ("treatment not to exceed 60° C but desirably at a temperature less than 50° C but preferably at a temperature between 15° C to 40° C") and in application claim 1 ("at a temperature of up to about 60° C").

Second, claim 61 is being amended to change "dry shredding" to "fluffing" and to change "shredded base-treated wood pulp" to "fluffed base-treated wood pulp." This language is supported at page 14 of applicants' specification ("converted by the end-user from the dried sheeted pulp to a pad of 'fluffed' fibers by mechanical action").

Claim 62 depends from claim 61 and is not being amended.

No new matter is added.

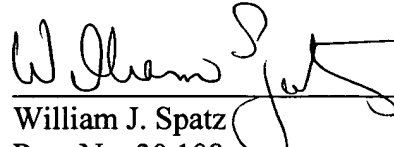
Pursuant to 37 CFR § 1.121(c)(1)(ii), a separate marked-up version of the claims is submitted herewith.

No fee is believed due. The Examiner is authorized to charge any fee due to Deposit Account No. 50-0540.

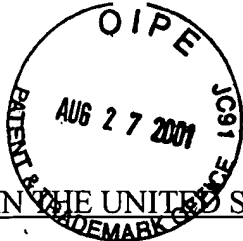
Should any questions arise, the Examiner is invited to telephone the attorneys for applicant at 212-715-9257 (William J. Spatz, Reg. No. 30,108) or 212-715-9472 (Louis Weinstein, Reg. No. 45,205).

Respectfully submitted,

KRAMER LEVIN NAFTALIS & FRANKEL LLP

By: 
William J. Spatz
Reg. No. 30,108

August 27, 2001



PATENT
177079-00057

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of : Phyllis Leithem et al.
Serial No. : 09/334,125
Filed : June 15, 1999
Title : ABSORBENT PRODUCTS AND
METHODS OF PREPARATION
THEREOF
Group Art Unit : 3761
Examiner : Dennis Ruhl

**CERTIFICATE OF EXPRESS
MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on

Date: August 27, 2001

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Name: Maria Garrido

Signature: Maria Garrido

Assistant Commissioner For Patents
Washington, D.C. 20231

**MARKED UP VERSION OF CLAIM AMENDED
IN SECOND PRELIMINARY AMENDMENT**

S I R:

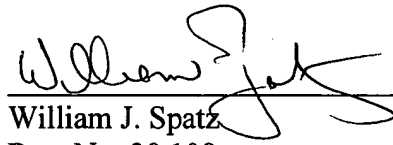
Pursuant to 37 CFR § 1.121(c)(1)(ii), applicants submit the following marked-up version of amended claim 61 to show the changes made to that claim in the Second Preliminary Amendment, filed herewith:

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TC 3700 MAIL ROOM

61. (amended) A method for making an absorbent composite useful for personal hygiene articles which comprises: treating a wood fiber pulp containing wood fibers with a base at a temperature ranging from [about 0] 15° C. to about 60° C. thereby forming a treated wood fiber pulp containing wood fibers; [dry shredding] fluffing the treated wood fiber pulp to form an absorbent sublayer material comprised of [dry shredded] fluffed base-treated wood pulp; providing at least one fluid permeable topsheet layer and at least one substantially fluid impermeable backsheet layer; and interposing the sublayer material between the topsheet layer and the backsheet layer.

Respectfully submitted,

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